

## **REMARKS**

Claims 1-17 are pending in the application and stand rejected.

### **Updated Priority**

Per the Examiner's suggestion, Applicant has amended the specification herein to indicate that the parent application to this one has issued as U.S. Patent No. 6,761,508.

### **Objections to Drawings**

The Examiner has objected to the drawings on the ground that they do not include the reference numerals "303" and "306" mentioned in the specification. Applicant is submitting herewith a replacement sheet having an amended drawing for Figure 3 wherein the incorrect reference numeral "306" has been changed to "303." Applicant submits that this change is completely supported by the specification and does not add new matter. Applicant also points out that "306" properly indicates the first step in the method depicted in Figure 4.

### **Rejection of Claims 1, 2, and 4-6 under 35 U.S.C. §102(b) over Blanchard**

Claims 1, 2, and 4-6 stand rejected as anticipated by the Blanchard et al. ("Blanchard") reference (U.S. Patent No. 5,885,028). The Examiner considers Blanchard to disclose the invention as claimed, including a floating structure (38a) with a floatable hull and a storage vessel (42a) as well as an environmental boundary (40).

Applicant traverses the rejection, as it might apply to the claims as amended herein. In order to anticipate the claims, Blanchard must disclose each of the recited elements of the claims. See MPEP § 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and

every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." ). Applicant notes that, as amended herein, independent claim 1 (and therefore claims 2 and 4-6) includes the feature of a column assembly that is retractable and extendable below the hull. At least this feature is not disclosed or suggested by the Blanchard reference. Blanchard shows a barge 38a with storage compartments 42 within. There is simply no column element that is extendable and retractable below the hull of the barge 38a. Applicant respectfully requests that the Examiner withdraw the rejection.

**Rejection of Claims 3 and 7-17 Under 35 U.S.C. §103(a) over Blanchard**

Claims 3 and 7-17 stand rejected for obviousness over the Blanchard reference. The Examiner considers Blanchard to disclose the invention as claimed except for the elements of:

- the storage vessel being located atop the hull, as recited in claims 3 and 11;
- the temperature within the environmental boundary being controlled, as recited in claim 7;
- circulating fluid to control the temperature, as recited in claim 8;
- control of fluid pressure, as recited in claim 9; and
- a center assembly that is retractable and extendable below the hull, as recited in claim 10.

Applicant traverses the rejection. At the outset, Applicant notes that independent claims 1, 10 and 14 recite a column assembly that is extendable and retractable below the floating hull of the floating structure. The Examiner has produced no references to show this feature. The Examiner contends that it is a well-known expedient in the art of marine

structures to make floating hulls with retractable and extendable portions. Applicant traverses this conclusion. Pursuant to MPEP §2144.03(C), Applicant challenges the Examiner's assertion that, at the time the invention was made, it was well-known to provide this type of structure with a column that is extendable and retractable below the hull. Pursuant to MPEP §2144.03(C), Applicant respectfully requests that the Examiner provide adequate evidence in support of her position or remove the rejection.

Applicant also traverses the Examiner's conclusions with regard to the temperature and pressure control elements recited in dependent claims 7, 8, and 9. The Examiner contends that:

... it would have been obvious to one having ordinary skill in the art of fluid handling at the time the invention was made to modify the device shown by Blanchard et al. '028 such that it would include temperature and pressure controls to preserve a desired state of the stored fluid.

Again, the Examiner has not cited any references or provided any evidence that this is the case. Applicant respectfully requests that the Examiner provide adequate evidence in support of her position or remove the rejection.

### **CONCLUSION**

Applicant submits that the application is in allowable condition and urges the Examiner to pass the case to issue.

Respectfully submitted,

Dated: May 4, 2005



---

Shawn Hunter  
Reg. No. 36,168  
P.O. Box 270110  
Houston, Texas 77277-0110  
Telephone: 713-349-0766  
Facsimile: 713-349-0796

**Amendments to the Drawings:**

The attached sheet of drawings includes a change to Figure 3. This sheet, which includes Figure 3 and 4, replaces the original sheet containing Figures 3 and 4. In Figure 3, the reference numeral "306" has been changed to "303."

**- ANNOTATED SHEET SHOWING CHANGES -**

Drawing 2 of 2

Inventor: Richard D. Haun Serial No.: New Application  
Title: "Floating Platform with Storage Tanks for Compressed Gas....."  
Atty Docket No.: OPE-1001CP-2 Express Mail Label No.: EV369818061US

